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**SEP 22 2006**

**OFFICE OF PETITIONS**

In re Application of :  
Murphy et al. :  
Application No. 09/301,380 : ON PETITION  
Filed: 27 April, 1999 :  
Atty Docket No. 20093A-00210 :

This is a decision on the petition under 37 CFR 1.53 filed on 14 August, 2006, requesting that the above-identified application be accorded a filing date of 27 April, 1999, instead of the presently accorded filing date of 15 June, 2001.

Petitioners assert that the application is entitled to a filing date of 27 April, 1999, the date the application papers were filed.

As previously stated in the Notice of File Missing Parts of Nonprovisional Application - Filing Date Granted (Notice) mailed on 30 July, 1999, the above-identified application has been accorded a filing date of 27 April, 1999. The record supports applicants' assertion that the United States Patent and Trademark Office erroneously changed the application filing date to 15 June, 2001, the date of applicants' response to the Notice. The Office apologizes for the error and regrets any inconvenience to applicants.

The petition is granted.

As the petition resulted from Office error, the fee will be credited to counsel's deposit account.

The application is being forwarded to the Office of Initial Patent Examination for correction of the filing date to 27 April, 1999, and the mailing of a corrected filing receipt. Thereafter, the application will be forwarded to the Technology Center for further processing.

All other inquiries regarding this decision may be directed to the undersigned at 571-272-3231.

A handwritten signature in black ink, appearing to read "D. Wood".

Douglas I. Wood  
Senior Petitions Attorney  
Office of Petitions